

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

JENNIFER L JOHNSON,	)	
	)	
Plaintiff,	)	
	)	Cause No.: 1:21-cv-1053
v.	)	
	)	
ADDICTION REHAB CENTERS, LLC,	)	
	)	
Defendant.	)	

**DEFENDANT’S NOTICE OF REMOVAL**

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Defendant, Addiction Rehab Centers, LLC (“ARC”), by counsel, pursuant to 28 U.S.C. §§ 1441(b) and 1446, hereby gives notice of the removal of this action from the Marion County Superior Court #13 where it is now pending under Cause No.: 49D13-2005-PL-017415 to the United States District Court, Southern District of Indiana, Indianapolis Division, and in support hereof states:

1. This action was originally filed in the Marion County Superior Court #13 on May 28, 2020. The matter was assigned cause number 49D13-2005-PL-017415.
2. On or about March 25, 2021, Jennifer L. Johnson, (“Plaintiff”) filed a Motion for Leave to Amend her Complaint.
3. On March 31, 2021, the Marion County Superior Court #13 granted Plaintiff’s Motion for Leave to Amend her Complaint and the Clerk was directed to file Plaintiff’s Amended Complaint.
4. Plaintiff’s Amended Complaint adds a “COUNT II – VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT.”

5. This Notice of Removal is timely, having been filed within thirty (30) days after the Marion County Superior Court #13 granted Plaintiff's Motion for Leave to Amend, pursuant to 28 U.S.C. §1446(b). See also *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999).

6. Plaintiff's Amended Complaint (Count II) alleges violations of Plaintiff's civil rights in violation of Title VII of the Civil Rights Act. Thus, this case falls within the original jurisdiction of this Court founded on a claim or right arising under the Constitution or laws of the United States. See 28 U.S.C. §§ 1331, 1343, 1441(a) and 42 U.S.C. § 2000, et seq.

7. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders of record in this matter are attached hereto as Exhibit A, including the Amended Complaint. A copy of the docket summary from the Marion County Superior Court 13 is attached as Exhibit B.

8. This Notice of Removal is being filed in the United States District Court for the Southern District of Indiana, Indianapolis Division, the District Court of the United States for the district and division within which the state court action is pending, as required by 28 U.S.C. §§ 1446(a) and 1441(a).

9. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be served upon Plaintiff's counsel. A copy of the Notice of Removal will be filed with the Clerk of the Marion County Superior Court #13 of the State of Indiana.

10. By removing this action to this Court, the Defendant does not waive any defenses available to it and expressly reserves the right to assert all such defenses.

11. A copy of this Notice of Removal will be filed with the Clerk of the Marion Superior Court 13 as required by 28 U.S.C. § 1446(d).

WHEREFORE, Addiction Rehab Centers, LLC, by counsel, respectfully requests that this action be duly removed to this Court, and that it proceed herein.

Respectfully submitted,

**COOTS, HENKE & WHEELER, P.C.**

/s/ James K. Wheeler  
James K. Wheeler, #1200-29  
Alex Emerson, # 32577-49  
*Attorneys for Addiction Rehab Centers, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on **April 28, 2021**, I electronically filed the foregoing document using the Indiana E-filing System ("IEFS"). I certify that the foregoing person was served by Certified mail, return receipt requested and electronically:

Jason R. Ramsland  
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Lafayette, IN 47901

/s/ James K. Wheeler  
James K. Wheeler, #1200-29

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